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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Louis A Morgan       )  
Filed: 10/16/2003                               )       Group Art Unit: 3744  
Serial No.: 10/687,049                           )       Examiner: Filip Zec  
For: **Apparatus for Delivering Carbonated Liquid at a Temperature Near  
Of Below the Freezing Point of Water**

MS Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Inquiry as to Status

Dear Examiner Zec:

On March 11, 2005, we received an Office Action. I contacted you by phone to discuss the amendments to the Claims to make them conform to the Office Action. Our discussion basically involved amending Claim 5 to include the limitations of Claim 5 and to establish it as the base claim from which Claims 2-4 would depend. A Response to the Office Action was mailed on May 2, 2005 which included the amendments as discussed.

My client, the Applicant, informs me that you passed the Application in early May 2005. However, we have received neither a subsequent office action or a Notice of Allowance on this matter.

Could you please check the status of this Application. If indeed the Application was passed in early May and a Notice of Allowance was generated on this matter at that time, our period for payment would have expired to due our not having received any Notice of Allowance and that could jeopardize our Application being given a grant of patent

I send this correspondence only out of concern as to what my Applicant client told me as to the conversation you and he had on or about Tuesday of this week, September 13, 2005. I attempted to contact you on Wednesday, but had not yet received a reply. I appreciate your attention in this matter to resolve this inquiry.

Respectfully submitted;



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Certificate of FAX transmittal

This is to certify that on the 17<sup>th</sup> day of September, 2005, the attached and foregoing document was sent by facsimile transmission to the Central FAX number, (571) 273-8300, directed to the above Examiner, % Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Randal D. Homburg